

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 NSAE-00 NSCE-00
SSO-00 USIE-00 INRE-00 PM-05 INR-10 L-03 ACDA-12
PA-01 SS-15 SP-02 TRSE-00 GSA-02 IO-13 H-01 /077 W
-----116894 221524Z /41

O R 221459Z FEB 78
FM AMEMBASSY BONN
TO SECSTATE WASHDC IMMEDIATE 6069
INFO USMISSION USBERLIN
AMEMBASSY LONDON
AMEMBASSY MOSCOW
AMEMBASSY PARIS
USMISSION USNATO

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E.O. 11652: N/A
TAGS: PGOV, WB, GW, OGEN, AINF
SUBJECT: BERLIN DOCUMENT CENTER: CHARGES OF FRG
GOVERNMENT NAZI COVER-UP

REFS: (A) USBER 415 (NOTAL)
(B) STATE 44462 (NOTAL)
(C) PARIS 5859

1. SOME GERMAN NEWSPAPERS (RELYING ON REUTERS AND
LONDON DPA) AND STARS & STRIPES (RELYING ON AP) OF
FEBRUARY 22 CARRY ARTICLES BASED ON CHARGES BY FRG
SPD BUNDESTAG DEPUTY KARL-HEINZ HANSEN TO THE EFFECT
(A) THAT THE FEDERAL GOVERNMENT HAD FAILED TO MAKE USE
OF THE BERLIN DOCUMENT CENTER (BDC) DOCUMENTATION IN
CONNECTION WITH THE PROSECUTION OF NAZI WAR CRIMES AND
(B) THAT THE FEDERAL GOVERNMENT HAD FAILED TO ACCEPT
POSSESSION OF THE ARCHIVES IN THE BDC FROM THE USG IN
AN EFFORT TO COVER UP FOR GERMAN PUBLIC PERSONALITIES
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WHO ARE FORMER NAZIS. A PRESS SPOKESMAN FOR THE
FRG JUSTICE MINISTRY HAS REJECTED THE CLAIMS IN (A),
ABOVE, BY STATING THAT THE BDC RECORDS HAD BEEN EVALUATED
BY A TASK FORCE OF THE PROSECUTOR GENERAL AT THE WEST
BERLIN KAMMERGERICHT, AS WELL AS BY THE CENTRAL BUREAU
AT LUDWIGSBURG FOR THE INVESTIGATION OF NAZI WAR CRIMES.
THE HEAD OF THE LUDWIGSBURG BUREAU (RUECKERL), IN A

STATEMENT CARRIED FEBRUARY 22 BY THE DEUTSCHER DEPESCH-DIENST, HAS POINTED OUT THAT A CHECK OF BDC FILES HAS BEEN REQUESTED WITH REGARD TO 3,758 PROCEEDINGS SINCE 1958 AND THAT IN NO CASE HAD THE IMPRESSION ARISEN THAT ANY INFORMATION HAD BEEN WITHHELD.

2. NEITHER THE FOREIGN OFFICE NOR THE FEDERAL PRESS AGENCY PRESENTLY PLANS TO ISSUE ANY STATEMENTS, NOR HAVE THEY PREPARED ANY RESPONSES TO POSSIBLE QUESTIONS WITH RESPECT TO THE CHARGES IN (B) IN PARA 1, ABOVE.

3. THE EMBASSY AGREES WITH USBER THAT QUESTIONS ADDRESSED TO THE US SHOULD BE HANDLED IN BONN RATHER THAN BERLIN. WE BELIEVE, HOWEVER, THAT IN VIEW OF THE RESPONSES MADE BY THE DEPARTMENT TO A NUMBER OF CONGRESSIONAL INQUIRIES CONCERNING TURNOVER OF THE BDC TO THE FEDERAL GOVERNMENT AND ACCESS TO THE MICROFILM OF THOSE DOCUMENTS BY APPROPRIATE PERSONS IN THE UNITED STATES, A FULLER RESPONSE IS REQUIRED THAN THAT SUGGESTED IN REFTEL A. ON AN "IF-ASKED" BASIS, THE EMBASSY PROPOSES TO RESPOND TO QUESTIONS WITH THE FOLLOWING REPLIES, WHICH ARE BASED IN PARTICULAR ON THE LANGUAGE OF THE LETTER FROM ASSISTANT SECRETARY BENNET TO CONGRESSMAN DONALD M. FRASER DATED SEPTEMBER 16, 1977:

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BEGIN TEXT

QUESTION: ARE THERE DISCUSSIONS OR NEGOTIATIONS WITH THE FEDERAL REPUBLIC CONCERNING THE TRANSFER OF THE ARCHIVES IN THE BERLIN DOCUMENT CENTER TO THE FEDERAL GOVERNMENT?

ANSWER: THE QUESTION OF ULTIMATE DISPOSITION OF THESE ARCHIVES HAS BEEN DISCUSSED BETWEEN THE TWO GOVERNMENTS. A DECISION ON TRANSFER HAS BEEN COMPLICATED BY THE NEEDS OF BOTH GOVERNMENTS TO ENSURE THAT THE PROVISIONS OF THEIR LAWS REGARDING PUBLIC ACCESS TO GOVERNMENT RECORDS ARE SATISFIED AND THAT ADEQUATE SAFEGUARDS EXIST TO PROTECT THE RIGHTS OF PRIVACY OF INDIVIDUALS UNDER THE LAWS OF BOTH COUNTRIES.

QUESTION: HAS INFORMATION FROM THE DOCUMENTS CONTAINED IN THE BDC BEEN MADE AVAILABLE IN CONNECTION WITH PROSECUTIONS IN THE FEDERAL REPUBLIC FOR CRIMES COMMITTED DURING THE NAZI PERIOD?

ANSWER: YES. FURTHERMORE, IT CONTINUES TO BE THE

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INFO OCT-01 ISO-00 CIAE-00 DODE-00 NSAE-00 NSCE-00
SSO-00 USIE-00 INRE-00 PM-05 INR-10 L-03 ACDA-12
PA-01 SS-15 SP-02 TRSE-00 IO-13 GSA-02 H-01 /077 W
-----116855 221524Z /41

O R 221459Z FEB 78
FM AMEMBASSY BONN
TO SECSTATE WASHDC IMMEDIATE 6070
INFO USMISSION USBERLIN
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FUNCTION OF THE DOCUMENT CENTER TO FURNISH
FROM THE MILLIONS OF DOCUMENTS ON FILE
BIOGRAPHIC INFORMATION TO THE AGENCIES,
INCLUDING THE PROSECUTING AUTHORITIES, OF THE
UNITED STATES, THE FEDERAL REPUBLIC OF GERMANY,
GREAT BRITAIN, FRANCE AND OTHER FRIENDLY
GOVERNMENTS. RELATED SERVICES INCLUDE AID TO
RESEARCH INSTITUTES AND PRIVATE SCHOLARS.
(NOTE: THIS ANSWER COULD ALSO BE USED TO
REPLY TO ANY QUESTION ABOUT WHO IS GIVEN
ACCESS TO INFORMATION IN THE ARCHIVES MAIN-
TAINED AT THE BDC.)

END TEXT
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Message Attributes

Automatic Decaptioning: X
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Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DOCUMENTS, DATA, WAR CRIMES, PRESS COMMENTS, TRIALS, INFORMATION CONTROL, ALLEGATIONS
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Copy: SINGLE
Draft Date: 22 feb 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
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Litigation History:
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TAGS: PGOV, OGEN, AINF, WB, GE
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